

U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:19-cv-02203-TNM

SOUTHERN UTAH WILDERNESS ALLIANCE v. UNITED STATES DEPARTMENT OF INTERIOR
Assigned to: Judge Trevor N. McFadden
Cause: 05:552 Freedom of Information Act

Date Filed: 07/24/2019
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

SOUTHERN UTAH WILDERNESS ALLIANCE
a Utah non-profit corporation

represented by **David H. Becker**
LAW OFFICE OF DAVID H. BECKER
4110 SE Hawthorne Blvd.
#168
Portland, OR 97214
(503) 388-9160
Email: davebeckerlaw@gmail.com
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

William N. Lawton
EUBANKS & ASSOCIATES, LLC
1331 H Street NW
Suite 902
Washington, DC 20005
202-556-1243
Email: nick@eubankslegal.com
ATTORNEY TO BE NOTICED

David Alan Bahr
BAHR LAW OFFICES, P.C.
1035 1/2 Monroe Street
Eugene, OR 97402
(541) 556-6439
Email: davebahr@mindspring.com
ATTORNEY TO BE NOTICED

V.

Defendant

UNITED STATES DEPARTMENT OF INTERIOR
an agency of the United States of America

represented by **Sean Michael Tepe**
U.S. DEPARTMENT OF JUSTICE
555 Fourth Street, NW
Washington, DC 20530
(202) 252-2533
Fax: (202) 252-2599
Email: sean.tepe@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jason Todd Cohen
U.S. DEPARTMENT OF JUSTICE
175 N Street, NE
Washington, DC 20002
202-514-0335
Fax: 202-616-4473
Email: jason.t.cohen@usdoj.gov
TERMINATED: 11/21/2019

Date Filed	#	Docket Text
07/24/2019	<u>1</u>	COMPLAINT against DEPARTMENT OF INTERIOR (Filing fee \$ 400 receipt number 0090-6275671) filed by SOUTHERN UTAH WILDERNESS ALLIANCE. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons Proposed Summons DOI, # <u>3</u> Summons Proposed Summons AG, # <u>4</u> Summons Proposed Summons US Atty)(Bahr, David) (Entered: 07/24/2019)
07/24/2019	<u>2</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name- David H. Becker, :Firm- Law Office of David H. Becker, LLC, :Address- 4110 SE Hawthorne Blvd. # 168, Portland, OR 97214. Phone No. - (503) 388-9160. Fax No. - N/A Filing fee \$ 100, receipt number 0090-6275889. Fee Status: Fee Paid. by SOUTHERN UTAH WILDERNESS ALLIANCE (Attachments: # <u>1</u> Declaration DECLARATION OF DAVID H. BECKER IN SUPPORT OF MOTION FOR ADMISSION PRO HAC VICE, # <u>2</u> Text of Proposed Order [PLAINTIFFS PROPOSED] ORDER GRANTING MOTION FOR ADMISSION OF ATTORNEY DAVID H. BECKER PRO HAC VICE)(Bahr, David) (Entered: 07/24/2019)
07/24/2019	<u>3</u>	LCvR 26.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by SOUTHERN UTAH WILDERNESS ALLIANCE (Bahr, David) (Entered: 07/24/2019)
07/26/2019		Case Assigned to Judge Trevor N. McFadden. (zeg) (Entered: 07/26/2019)
07/26/2019	<u>4</u>	SUMMONS (3) Issued Electronically as to UNITED STATES DEPARTMENT OF INTERIOR, U.S. Attorney and U.S. Attorney General (Attachment: # <u>1</u> Notice and Consent)(zeg) (Entered: 07/26/2019)
07/26/2019		MINUTE ORDER granting <u>2</u> Motion for Leave to Appear Pro Hac Vice. Counsel David H. Becker shall promptly register for this Court's CM/ECF system. Signed by Judge Trevor N. McFadden on 07/26/2019. (lctnm1) (Entered: 07/26/2019)
07/26/2019	<u>5</u>	STANDING ORDER Establishing Procedures for Cases Before Judge Trevor N. McFadden. The parties are hereby ORDERED to read and comply with the directives in the attached standing order. Signed by Judge Trevor N. McFadden on 07/26/2019. (lctnm1) (Entered: 07/26/2019)
07/30/2019	<u>6</u>	AMENDED COMPLAINT against UNITED STATES DEPARTMENT OF INTERIOR filed by SOUTHERN UTAH WILDERNESS ALLIANCE.(Bahr, David) (Entered: 07/30/2019)
07/31/2019	<u>7</u>	LCvR 26.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by SOUTHERN UTAH WILDERNESS ALLIANCE (Bahr, David) (Entered: 07/31/2019)
08/06/2019	<u>8</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 8/5/2019. Answer due for ALL FEDERAL DEFENDANTS by 9/4/2019. (Bahr, David) (Entered: 08/06/2019)
08/06/2019	<u>9</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 08/05/2019. (Bahr, David) (Entered: 08/06/2019)
08/06/2019	<u>10</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. UNITED STATES DEPARTMENT OF INTERIOR served on 8/5/2019 (Bahr, David) (Entered: 08/06/2019)
08/15/2019	<u>11</u>	NOTICE of Appearance by Jason Todd Cohen on behalf of UNITED STATES DEPARTMENT OF INTERIOR (Cohen, Jason) (Entered: 08/15/2019)
08/27/2019	<u>12</u>	MOTION for Extension of Time to File Answer re <u>6</u> Amended Complaint by UNITED STATES DEPARTMENT OF INTERIOR (Cohen, Jason) (Entered: 08/27/2019)
08/27/2019		MINUTE ORDER granting the Defendant's <u>12</u> Motion for Extension of Time. The Defendant shall respond or otherwise answer to the Plaintiff's Complaint on or before October 4, 2019. Further requests for extensions of time will be disfavored. Signed by

		Judge Trevor N. McFadden on 8/27/19. (lctnm1) (Entered: 08/27/2019)
08/28/2019		Set/Reset Deadlines: Defendant's answer or response to Plaintiff's Complaint due by 10/4/2019. (hmc) (Entered: 08/28/2019)
10/04/2019	<u>13</u>	ANSWER to <u>6</u> Amended Complaint by UNITED STATES DEPARTMENT OF INTERIOR.(Cohen, Jason) (Entered: 10/04/2019)
10/07/2019		MINUTE ORDER. Before the Court are a complaint and an answer in this FOIA case. It is hereby ORDERED that the parties shall meet and confer and file a Joint Status Report proposing a schedule for proceeding in this matter. The schedule should address, among other things, the status of Plaintiff's FOIA request, the anticipated number of documents responsive to Plaintiff's FOIA request, the anticipated date(s) for release of the documents requested by Plaintiff, whether a motion for an Open America stay is likely in this case, whether a Vaughn index will be required in this case, and a briefing schedule for dispositive motions, if required. The parties shall file the schedule on or before November 6, 2019. Signed by Judge Trevor N. McFadden on 10/07/2019. (lctnm1) (Entered: 10/07/2019)
10/07/2019		ENTERED IN ERROR.....MINUTE ORDER. Having considered the parties' 28 Joint Status Report, it is hereby ORDERED that the briefing schedule for Defendants' Motion to Dismiss shall be as follows: Defendants' Motion to Dismiss shall be filed on or before October 9, 2019; Plaintiffs' Opposition shall be filed on or before October 23, 2019; and Defendants' Reply shall be filed on or before October 30, 2019. Should the parties resolve the pending issues prior to close of briefing or while the motion is pending, the parties shall file a Joint Status Report advising the Court. SO ORDERED. Signed by Judge Trevor N. McFadden on 10/07/2019. (lctnm1) Modified on 10/8/2019 (hmc). (Entered: 10/07/2019)
10/08/2019		Set/Reset Deadlines: Joint Status Report due by 11/6/2019. (hmc) (Entered: 10/08/2019)
11/06/2019	<u>14</u>	Joint STATUS REPORT by <i>U.S. Department of the Interior and by SOUTHERN UTAH WILDERNESS ALLIANCE.</i> (Becker, David) (Entered: 11/06/2019)
11/07/2019		MINUTE ORDER. Upon consideration of the parties' <u>14</u> Joint Status Report, the parties are hereby ORDERED to appear for a Status Conference on November 25, 2019, at 10:00 a.m. in Courtroom 2, before Judge Trevor N. McFadden. Signed by Judge Trevor N. McFadden on 11/07/2019. (lctnm1). (Entered: 11/07/2019)
11/07/2019		Set/Reset Hearings: Status Conference scheduled for 11/25/2019, at 10:00 AM in Courtroom 2 before Judge Trevor N. McFadden. (tg) (Entered: 11/07/2019)
11/08/2019	<u>15</u>	Unopposed MOTION for Leave to Appear by Telephone , Unopposed MOTION Request for Adjustment of Time set for Status Conference by SOUTHERN UTAH WILDERNESS ALLIANCE (Becker, David) Modified event on 11/14/2019 (znmw). (Entered: 11/08/2019)
11/12/2019		MINUTE ORDER denying Plaintiff's <u>15</u> Motion for Leave to Appear by Telephone and Request for Adjustment of Time. The parties shall appear for a Status Conference on November 25, 2019, at 10:00 a.m. in Courtroom 2, before Judge Trevor N. McFadden, as previously ordered. Signed by Judge Trevor N. McFadden on 11/12/2019. (lctnm1) (Entered: 11/12/2019)
11/18/2019	<u>16</u>	NOTICE of Appearance by William N. Lawton on behalf of SOUTHERN UTAH WILDERNESS ALLIANCE (Lawton, William) (Entered: 11/18/2019)
11/21/2019	<u>17</u>	NOTICE OF SUBSTITUTION OF COUNSEL by Sean Michael Tepe on behalf of UNITED STATES DEPARTMENT OF INTERIOR Substituting for attorney Jason Cohen (Tepe, Sean) (Entered: 11/21/2019)
11/25/2019		Minute Entry for proceedings held before Judge Trevor N. McFadden: Status Conference held on 11/25/2019. The Department shall review 500 pages a month. The parties shall also prioritize the documents of greatest interest to the Plaintiff. A Joint Status Report is due every 60 days, counting from the November 6 Joint Status Report. (Court Reporter: Crystal Pilgrim.) (hmc) (Entered: 11/25/2019)

01/06/2020	<u>18</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF INTERIOR. (Tepe, Sean) (Entered: 01/06/2020)
03/06/2020	<u>19</u>	Joint STATUS REPORT by SOUTHERN UTAH WILDERNESS ALLIANCE. (Becker, David) (Entered: 03/06/2020)
05/06/2020	<u>20</u>	Joint STATUS REPORT by SOUTHERN UTAH WILDERNESS ALLIANCE. (Becker, David) (Entered: 05/06/2020)
07/06/2020	<u>21</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF INTERIOR. (Tepe, Sean) (Entered: 07/06/2020)